UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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ART UNIT	PAPER NUMBER
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NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *18 November 2009*.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-7 and 9-19* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-7 and 9-19* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/18/09 has been entered.

Claims 1-7 and 9-19 are pending.

Response to Amendment and Arguments

Applicant's amendments were fully considered. Any objections/rejections not repeated for record below are withdrawn due to applicant's amendments.

Applicant's arguments were fully considered, but are not persuasive. Applicant argues that the prior art does not teach or make obvious the limitation of searching the single-recipient and multiple-recipient messages stored in the common storage since in Janacek's invention, each recipients' messages are placed in a recipient's unique message store. The examiner respectfully disagrees.

As pointed out in the prior office action, the term "common storage area" used to store messages for various recipients can broadly, but reasonably be interpreted to refer to either encrypted database 13 as seen in Figure 1 of Janacek or the message database found in encrypted database 13. Even though each recipient have their own message store as pointed out by applicant, each of these private message stores themselves are found in the message database of encrypted database 13, thus the

messages of each recipient are stored in a common storage area (i.e. encrypted

database 13 or the message database of encrypted database 13 as seen in Figure 1 of

Janacek). Column 6, lines 15-18 and 27-31 discusses how message in the message

database seen in Figure 1 are searched using the recipient's email address. Further,

Janacek discloses that email messages can either be single-recipient or multiple-

recipient messages (col 4, lines 46-60), thus the messages being searched by

Janacek's invention are single-recipient and multiple-recipient messages.

Claim Objections

Claim 9 is objected to because of the following informalities: In line 4 of claim 9,

"1, 9, 10, and 12 have been amended" appears to be a typo and should be deleted.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-3, 5-7, 9-10, 12-14, and 17-18 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Janacek et al (US 6,684,248) in view of Poplawski et al (US

2003/0208441)

Claim 1:

Janacek discloses:

1. Storing a message in a common storage area (i.e. col 12, line 65 and Figure 1, message database/encrypted database 13) of the database storage system (i.e. Figure 1, encrypted database 13) together with all other messages stored in the database, such that all single-recipient and multiple-recipient messages (col 4, lines 46-60) are stored in the common storage area (Fig 1, database 13; col 3, line 66-col 4, line 2; col 4, line 26-29; col 6, lines 5-9; col 8, lines 42-51; and col 12, line 59-col 13, line 67).

2. Associating the message with a first intended recipient by a first identifier (i.e. NuID or email address of the recipient as identified by the toEmail field in the table seen in column 13), and further associating the message with at least a second intended recipient (col 4, line 48-col 5, line 6; col 7, lines 15-17; col 8, lines 15-17; and col 13, lines 35-41—toEmail, ccEmail, and bccEmail).

3. Notifying the first intended recipient of the message stored in the database storage system using a notification message (i.e. email message) generated by the processing device, wherein the notification message contains an address of or a link to a website, by transmitting the notification message to the first intended recipient (col 5, lines 7-12; col 8, lines 64-67; and col 10, lines 1-5).

4. Providing the website for the first intended recipient to view the message (col 5, lines 13-36).

5. Authenticating the first intended recipient using a second identifier associated with the intended recipient (col 5, lines 13-36; col 8, lines 3-17; and col 11, lines 20-24).

6. Searching the single-recipient and multiple-recipient messages stored in the common storage area of the database storage system to find the messages for the first intended recipient by matching the first identifier with a message associated with the first identifier (col 6, lines 15-18 and 27-31; col 7, lines 22-64; col 8, lines 15-17; and col 10, lines 62-67). *Messages that have not yet been processed are pre-processed by searching the messages for any messages having an email address which matches a particular recipient's email address.*

7. Providing the message associated with the first identifier to the first intended recipient for display by the first intended recipient (col 5, lines 33-36).

Janacek does not disclose wherein if there is no second identifier associated with the first intended recipient, the first intended recipient is prompted to create or register a second identifier. However, Poplawski discloses of a message alert system in which if there is no second identifier (i.e. username and password) associated with the first intended recipient, the first intended recipient is prompted to create or register a second identifier (paragraphs 29 and 38-40; and Fig 5).

At the time applicant's invention was made, it would have been obvious to one skilled in the art to modify Janacek's invention such that rather than automatically creating a second identifier for the first intended recipient if there is no second identifier

associated with the first intended recipient, Janacek's invention instead prompted the

first intended recipient to create or register a second identifier. It would have been

obvious to do so because replacing the mechanism in which the second identifier is

created in Janacek's invention using the one used by Poplawski's invention is simple

substitution of one known element for another to obtain predictable results. Both

mechanisms accomplish the same end result of creating a second identifier.

Claim 9:

Janacek discloses:

1. Storing a message and a multiple-recipient message in a common storage area

   (i.e. col 12, line 65 and Figure 1, message database/encrypted database 13) of a

   secure database storage system (i.e. Figure 1, encrypted database 13) together

   with all other messages stored in the secure database storage system, such that

   all single-recipient and multiple-recipient messages are stored in the common

   storage area (Fig 1, database 13; col 3, line 66-col 4, line 2; col 4, line 26-29; col

   4, lines 46-60; col 6, lines 5-9; col 8, lines 42-51; and col 12, line 59-col 13, line

   67). *Note that the message database, i.e. CMMSg Database discussed in cited*

   columns 12-13, is capable of holding messages that are addressed to a recipient

   identified by the toEmail field and messages that were also sent to other users

   identified by the ccEmail and bccEmail fields. This message database is used to

   store all messages. One skilled should appreciate that email messages could be

   sent to a single user or multiple users, thus since Janacek's message database

   is capable of keeping track of both types of messages, and his message

database is used to store all messages, his message database is used to store

both single-recipient and multiple-recipient messages in a common storage area.

2. Associating the single-recipient message and the multiple-recipient message with a first identifier (i.e. NuID and/or email address of the recipient as identified by the toEmail field in the table seen in column 13) corresponding to a first intended customer recipient, wherein the first identifier includes an account number, and further associating the multiple-recipient message with at least a second intended customer recipient (col 4, line 48-col 5, line 6; col 7, lines 15-17; col 8, lines 15-17; and col 13, lines 35-41—toEmail, ccEmail, and bccEmail).

3. Notifying the first intended customer recipient of the single-recipient message stored in the secure database storage system by an electronic mail generated by the processing device, wherein the electronic mail contains an address of or a link to a website, by transmitting the electronic mail to the first intended customer recipient (col 5, lines 7-12; col 8, lines 64-67; and col 10, lines 1-5).

4. Providing the secure website for the first intended customer recipient to view the single-recipient message (col 5, lines 13-36).

5. Authenticating the first intended customer recipient to view the single-recipient message at the secure website using a second identifier associated with the first intended customer recipient (col 5, lines 13-36; col 8, lines 3-17; and col 11, lines 20-24). *One skilled should appreciate that websites that require log-in are typically secure websites.*

6. Searching the single-recipient and multiple-recipient messages stored in the common storage area of the secure database storage system for the first identifier to find the single-recipient message associated with the first identifier to be viewed by the first intended customer recipient (col 6, lines 15-18 and 27-31; col 7, lines 22-64; col 8, lines 15-17; and col 10, lines 62-67). *Messages that have not yet been processed are pre-processed by searching the messages for any messages having an email address which matches a particular recipient's email address.*

7. Providing the single-recipient message associated with the first intended customer recipient to the first intended customer recipient (col 5, lines 33-36).

Janacek does not disclose wherein if there is no second identifier associated with the first intended customer recipient, the first intended customer recipient is prompted to create or register a second identifier. However, Poplawski discloses of a message alert system in which if there is no second identifier (i.e. username and password) associated with the first intended customer recipient, the first intended customer recipient is prompted to create or register a second identifier (paragraphs 29 and 38-40; and Fig 5).

At the time applicant's invention was made, it would have been obvious to one skilled in the art to modify Janacek's invention such that rather than automatically creating a second identifier for the first intended customer recipient if there is no second identifier associated with the first intended customer recipient, Janacek's invention instead prompted the first intended customer recipient to create or register a second

identifier. It would have been obvious to do so because replacing the mechanism in

which the second identifier is created in Janacek's invention using the one used by

Poplawski's invention is simple substitution of one known element for another to obtain

predictable results. Both mechanisms accomplish the same end result of creating a

second identifier.

Claim 2:

Janacek further discloses wherein the first identifier is an account number (col 4,

line 61-col 5, line 1 and col 10, lines 62-67).

Claim 3:

Janacek further discloses wherein the second identifier is a combination of a user

identification and a password (col 5, lines 13-36; col 8, lines 3-17; and col 11, lines 20-

24).

Claims 5 and 12:

Janacek further discloses wherein the single-recipient message includes a

message portion; and an attachment file in a format that is different from a format of the

message portion (col 4, lines 48-56).

Claims 6 and 13:

Janacek further discloses a step of encrypting the website to view messages

using an encryption method (col 8, lines 23-27). SSL uses encryption.

Claims 7 and 14:

Janacek further discloses wherein the encryption method is SSL (col 8, lines 23-

27).

Claim 10:

Janacek further discloses wherein the single-recipient message includes at least one of customer account information, a financial statement, a special offer, a response to an inquiry, and a transaction confirmation (col 4, lines 48-53; col 8, lines 64-67; and col 10, lines 7-16).

Claims 15 and 18:

Janacek and Poplawski disclose all the limitations of claims 1 and 9. Poplawski further disclose providing a second address of or link to a secure webpage on the secure website, the secure webpage containing the single-recipient message, after successfully authenticating the intended recipient (paragraphs 10, 29, 44, and 46).

Claim 17:

Janacek further discloses wherein the second identifier is at least one of a user identification, an email address, and a password (col 5, lines 13-36; col 8, lines 3-17; and col 11, lines 20-24).

Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Janacek et al (US 6,684,248) in view of Poplawski et al (US 2003/0208441) in further view of Fung et al (US 2002/0055909).

Claims 4 and 11:

Janacek does not explicitly disclose wherein the second identifier is/includes a physical characteristic of the first intended (customer) recipient identifiable by a biometric identification system. However, Fung discloses use of an identifier that is a physical characteristic of the user that is identifiable by a biometric identification system (paragraphs 148-149).

At the time applicant's invention was made, it would have been obvious to one skilled in the art to modify Janacek's invention such that after a user is authenticated via a password as the second identifier the first time, a biometric identification system was used in place of the password as part of the second identifier as per Fung's teachings according to the limitations further recited in claims 4 and 11. One skilled would have been motivated to do so because a biometric identifier is more secure than a password since it cannot be forgotten by the user.

Claims 16 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Janacek et al (US 6,684,248) in view of Poplawski et al (US 2003/0208441) in further view of Choubey et al (US 7,305,430).

Claims 16 and 19:

Janacek and Poplawski disclose all the limitations of claims 1 and 9. Janacek does not explicitly disclose wherein if a particular message/the message has multiple intended (customer) recipients, a separate copy of the (particular) message is not

stored in the database for each intended (customer) recipient. However, Choubey

discloses the limitation (col 1, lines 55-61).

At the time applicant's invention was made, it would have been obvious to one

skilled in the art to further modify Janacek's invention such that if the (particular)

message has multiple intended (customer) recipients, a separate copy of the particular

message is not stored in the database for each intended (customer) recipient as per

Choubey's teachings. One skilled would have been motivated to do so because it

would reduce data storage requirements associated with the email message (Choubey:

col 1, lines 57-61).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ponnoreay Pich whose telephone number is (571) 272-

7962. The examiner can normally be reached on 9:00am-4:30pm Mon-Thurs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

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/Ponnoreay Pich/
Primary Examiner, Art Unit 2435